March 18, 2003

Re: Medical Dispute Resolution
MDR #: M2-03-0614-01

Dear

In accordance with the requirement for TWCC to randomly assign cases to IROs, TWCC assigned your case to ___ for an independent review. ___ has performed an independent review of the medical records to determine medical necessity. In performing this review, ___ reviewed relevant medical records, any documents provided by the parties referenced above, and any documentation and written information submitted in support of the dispute.

The independent review was performed by a matched peer with the treating health care provider. Your case was reviewed by a physician who is Board Certified in Orthopedic Surgery.

Clinical History:
This 52-year-old man reported an injury on ___, with subsequently diagnosed lumbar strain. X-rays, an MRI, and CT all showed early degenerative joint changes in the spine, facet arthropathy, osteophytes, and disc space narrowing, all changes compatible with his age. No surgical lesion was detected. He has been treated with rest and exercises and epidural steroid injections.

Disputed Services:
Orthotrac Pneumatic Vest.

Decision:
The reviewer agrees with the determination of the insurance carrier. The reviewer is of the opinion that the Orthotrac Pneumatic Vest is not medically necessary in this case.

Rationale for Decision:
No supporting cause for bracing this patient was found in the material provided for review. Nothing was found to suggest that a brace would permanently relieve this patient of his symptoms. In the opinion of the reviewer, this patient is more likely to improve without bracing.

I certify that the reviewing physician in this case has certified to our organization that there are no known conflicts of interest that exist between him and any of the treating physicians or other health care providers or any of the physicians or

other health care providers who reviewed this care for determination prior to referral to the Independent Review Organization.

We are simultaneously forwarding copies of this report to the payor and the Texas Workers' Compensation Commission. This decision by is deemed to be a Commission decision and order.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of this decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings **within ten (10) days** of your receipt of this decision (28 Tex. Admin. Code 142.5©).

If disputing other prospective medical necessity (preauthorization) decisions a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings **within twenty (20) days** of your receipt of this decision (28 Tex. Admin. Code 148.3).

This Decision is deemed received by you **five (5) days** after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5 (d)). A request for a hearing should be sent to:

Chief Clerk of Proceedings
Texas Workers' Compensation Commission
P.O. Box 40669
Austin, TX 78704-0012

A copy of this decision should be attached to the request. The party appealing the decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute.

I hereby verify that a copy of this Independent Review Organization (IRO) Decision was sent to the carrier, the requestor and claimant via facsimile or U.S. Postal Service from the office of the IRO March 18, 2003.

Sincerely,